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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

LEONEL CAPI-CUEVAS,

Defendant.

NO. CR 14-0223 RS

STIPULATION AND ~~[PROPOSED]~~ ORDER  
EXCLUDING TIME UNDER 18 U.S.C. § 3161

The parties in this case appeared before the Court on April 22, 2014. At that time, the parties represented that the government had provided initial discovery in this case and additional time would be needed for counsel for the defendant to review discovery and conduct investigations. Accordingly, the Court set the matter to May 13, 2014.

The parties have agreed to exclude the period of time between April 22, 2014, and May 13, 2014, from any time limits applicable under 18 U.S.C. § 3161. The parties agreed that granting the exclusion would maintain continuity of counsel and allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agreed that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the

Stipulation and [Proposed] Order Excluding Time  
CR 14-0223 RS

1 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the Court made findings  
2 consistent with this agreement.

3 SO STIPULATED:

4 MELINDA HAAG  
5 United States Attorney

6 DATED: April 23, 2014

7 /s/  
8 JANAKI GANDHI  
9 Special Assistant United States Attorney

10 DATED: April 23, 2014

11 /s/  
12 JODI LINKER  
13 Attorney for Defendant Leonel Capi-Cuevas  
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~~PROPOSED~~ ORDER

For the reasons stated above and at the April 22, 2014 hearing, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from April 22, 2014, to May 13, 2014, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 4/23/14



HONORABLE RICHARD SEEBORG  
United States District Court Judge